

San Luis Obispo County
Public Health Department
Privacy Notice

Effective Date: April 14, 2003

***This notice describes how medical information about you may be used and disclosed and how you can get access to this information. Please review it carefully.**

If you have any questions about this Notice, you may contact either the person in charge of your medical treatment, or contact:

Debbie Jo Trinidad, Privacy Officer
San Luis Obispo County Public Health
P.O. Box 1489
San Luis Obispo, CA 93406
805-788-2043

Your medical information is personal, and we at San Luis Obispo County Public Health are committed to protecting it. Your medical information is also very important to our ability to provide you with quality care, and to comply with certain laws. This Notice describes the privacy practices we, all of our employees and other personnel, are required to follow for your medical information.

We are legally required to: Keep your medical information, also known as "protected health information" or "PHI", private, give you this Notice of our legal duties and privacy practices with respect to your PHI, and comply with this notice.

Changes To This Notice

We reserve the right to revise or change the terms of this Notice, and to apply those changes to your PHI. You have the right to be notified of any changes to this Notice and to receive a copy of those changes in writing. To obtain a copy of this Notice once it has been changed, you can either ask your treatment provider or go to our web site at <http://www.slopublichealth.org>.

How We May Use and Disclose Your PHI

For Treatment: We create a record of the treatment and services you receive at our facilities. We need this record to provide you with quality care and to comply with certain legal requirements.

Your treatment team may disclose your PHI to other doctors, therapists, nurses, students in training, or other personnel who are involved in taking care of you. For example, a doctor treating you for depression may need to know if you have problems with your heart because some medications lower your blood pressure. Your treatment team may share your PHI in order to coordinate the different things you need, such as prescriptions, regular blood pressure checks, lab work or an EKG.

We also may disclose PHI to people outside this agency who may be involved in your treatment when you are not at the clinics, such as your case manager, or other third parties for coordination and management of your health care.

We may use and disclose your PHI to contact you with a reminder that you have an appointment for treatment. You have the right to tell us how you want to receive appointment reminders.

We may use and disclose your PHI to recommend possible treatment options or alternatives that may be of interest to you. Additionally we may use and disclose PHI to tell you about health-related benefits or services that may be of interest to you (for example, Medi-Cal eligibility or Social Security benefits). You have the right to refuse this information.

For Payment: We use and disclose your PHI in order to get paid for the treatment and services we have provided you. For example, insurance companies require that our bills include descriptions of the treatment and services we have provided you. We will only disclose the minimum necessary information to accomplish this purpose and will not divulge the entire contents of your file unless required.

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For Health Care Operations: We may use and disclose your PHI to operate our facilities, and to meet certain state and federal regulations. For example, we may use your PHI to review our treatment and services and to evaluate the performance of our staff in caring for you.

Uses and Disclosure of PHI That Give You the Opportunity To Object

Unless you object, we may disclose your PHI to a friend or family member, your parent or any other person designated by you who is involved in your health care or payment for your health care. Your objection must be in writing. (A consent form will be provided to you for this purpose). We will not honor the objection in circumstances where doing so would expose you or someone else to danger, as determined by your treatment team.

In the event of a disaster we may disclose your PHI to a disaster relief agency such as the Red Cross, so that your family can be notified about your condition, status and location.

Other Uses and Disclosures that do not Require Your Authorization

Research: We may disclose your PHI to medical researchers who request it for approved medical research projects; however, with very limited exceptions such disclosures must be cleared through a special approval process before any PHI is disclosed to the researchers, who will be required to safeguard the PHI they receive.

As Required by Law: We will disclose your PHI when required to do so by federal, or state law.

To Avert a Serious Threat to Health or Safety: We may use and disclose your PHI when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person.

Workers' Compensation: We may disclose your PHI for workers' compensation or similar programs. These programs provide benefits for work-related injuries or illness.

Public Health Activities: We may disclose your PHI for public health activities, such as those aimed at preventing or controlling disease, preventing injury or disability, and reporting the abuse or neglect of children, elders and dependent adults.

Lawsuits and Disputes: If you are involved in a lawsuit or a dispute, we may disclose your PHI in response to a court or administrative order. We may also disclose your PHI in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute.

Law Enforcement: We may disclose your PHI if asked to do so by law enforcement officials in the following circumstances:

- In response to a court order, subpoena, warrant, summons or similar process;
- To identify or locate a suspect, fugitive, material witness, or missing person;
- About the victim of a crime if, under certain limited circumstances, we are unable to obtain the person's agreement;
- About a death we believe may be the result of criminal conduct;
- About criminal conduct at any of our facilities; or
- In emergency circumstances to report a crime; the location of the crime, the victim (s); or the identity, description or location of the person who committed the crime.

Specialized Governmental Functions: In the course of National Security and Intelligence activities, we may disclose your PHI to authorized federal officials for intelligence and other national security activities authorized by law. For example, we may disclose your PHI to authorized federal officials so they may provide protection to the President of the United States or foreign heads of state, or to conduct special investigations authorized by law.

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We may disclose your PHI to officials in the Department of State who make decisions regarding your suitability for a security clearance or service abroad.

If you are an inmate of a correctional institution, you lose the rights outlined in this Notice. Furthermore, if you are an inmate or are in the lawful custody of a law enforcement official, we may disclose your PHI to a law enforcement official.

Other uses of Your Protected Health Care Information

Other uses and disclosures of your PHI not covered by this Notice or the laws that apply to us will be made only with your written authorization. If you provide us authorization to use or disclose your PHI, you may revoke that authorization, in writing, at any time. For example, you may be asked for your authorization to participate in the clinical trial of a new medication, which may involve comparing the health and recovery of all patients who received one medication to those who received another, for the same condition. If you revoke your authorization, we will no longer use or disclose your PHI for the reasons covered by the authorization, except that, we are unable to take back any disclosures we have already made when the authorization was in effect, and we are required to retain our records of the care that we provided to you.

At every instance where San Luis Obispo County Public Health Department discloses your information we will use only the minimum necessary to accomplish that purpose. Each type of disclosure will be reviewed separately to determine what the minimum necessary consists of.

Your Rights Regarding Medical Information About You

Right to Inspect and Copy: With certain exceptions, you have the right to inspect and copy your PHI from our records. To inspect and copy your PHI you must submit a request in writing to the person in charge of your treatment. If you request a copy of your PHI, we will charge a fee for the costs of copying, mailing or other supplies associated with your request.

We may deny your request to inspect and copy parts of your PHI. If you are denied the right to inspect and copy your entire PHI in our records, you may request that the San Luis Obispo County Public Health Department Privacy Officer review the decision. If you disagree with the San Luis Obispo County Public Health Department Privacy Officer's decision, you may appeal the decision with the County Health Officer.

Right to Request an Amendment: If you feel that your PHI in our records is incorrect or incomplete, you may ask us to amend the information. You have the right to request an amendment for as long as we keep the information. To request an amendment, you must submit a request in writing to the person in charge of your treatment. In addition, you must tell us the reason for the amendment. Your request will become part of your record.

In addition, we may deny your request if you ask us to amend information that was not created by us, or is part of the information which you were not permitted to inspect and copy, or is deemed accurate and complete by your treatment team.

Right to an Accounting of Disclosures: With the exception of disclosures that were made for our own uses for purposes of treatment, payment and health care operations, you have the right to request a list of the disclosures we have made of your PHI. To request this list, you must submit your request in writing to the person in charge of your treatment.

Your request must state a time period, which may not be longer than six years. Your request should indicate how you want to receive this list. The first list you request within a 12-month period will be free. For additional lists, we may charge you for the costs of providing the list; we will notify you of the cost involved and you may choose to withdraw or modify your request at that time before any costs are incurred.

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Right to Request Restrictions: You have the right to request that we follow additional, special restrictions when using or disclosing your PHI. We are not required to agree to your request. If we do agree, we will comply with your request unless the information is needed to provide you with emergency treatment as determined by your doctor. To request restrictions, you must make your request in writing to your case manager or the person in charge of your treatment. In your request, you must tell us what information you want to limit, the type of limitation, and to whom you want the limitation to apply, for example, disclosures to your spouse. A form will be provided to you for this purpose.

Right to Request Confidential Communications: You have the right to request that we communicate with you about appointments or other matters related to your treatment in a specific way or at a specific location. For example, you can ask that we only contact you at work, or by mail. To request confidential communications, you must make your request in writing to the person in charge of your treatment. A form will be provided to you for this purpose. Your request must specify how or where you wish to be contacted. Your request must specify how or where you wish to be contacted. We will accommodate all reasonable requests.

Right to a Paper Copy of this Notice: You may ask us for a copy of this Notice at any time. Even if you have agreed to receive this Notice electronically, you are entitled to receive a paper copy of this Notice. To obtain a paper copy of this Notice ask any staff person. You may also obtain a copy of this Notice at our website: <http://www.slopublichealth.org>.

Complaints:

All complaints must be submitted in writing. You will not be penalized in anyway for filing a complaint.

If you believe your privacy rights have been violated, you may file a complaint with us or with the Federal Government. To file a complaint with us, contact:

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If you have comments or questions regarding our privacy practices, you may contact the privacy official stated above.

To file a complaint with the Federal Government, contact:

Office for Civil Rights
US Department of Health and Human Services
50 United Nations Plaza – Room 322
San Francisco, CA 94102
Attention: Ira Pollack, Regional Manager
Voice # (415) 437-8310
Fax # (415) 437-8329
TDD # (415) 437-8311